



Nonpayment lawsuits rise in area, nation

By Mark A. York
Enterprise Staff Writer

Creditors are increasingly resorting to taking customers to court for nonpayment in Montana, court records show.

“We’re getting a lot more from the credit card companies,” said June Little, clerk of the District Court in Livingston. “Sky Federal (Credit Union) is doing a lot of non-payment lawsuits.”

Civil cases in general rose to 15,569 in 2006, up from 12, 998 in 2005, according to statistics of the U.S. District Court in Montana.

“We’ve had 207 civil cases here so far this year,” Little said.

According to the statistics of the Park County District Court, there were 48 nonpayment cases filed in 2006 from various banks and debt recovery service companies trying to get payment from customers. There were 65 nonpayment cases in 2007 and 36 thus far in 2008.

Discover Bank, headquartered in Greenwood, Del., had 11 nonpayment cases in Park County in this period. Citibank, of Sioux Falls, S.D., had seven. Sky Federal had four this year alone. Others in the Park County records include: Bank of America, Capitol One, American Express, US Bank and Ford Motor Credit.

“It pays to Discover” goes the company slogan, but they’ll take a customer to court if they fall behind in payments. In 2007, Discover Bank took a customer all the way to the U.S. Supreme Court. In *Vaden v. Discover Bank*, et al., Discover Bank sued a customer in state court for nonpayment of her credit card balance. Vaden counter-claimed, raising state-law claims of breach of contract and violation of state statutes regulating credit card fees and charges, according to the case summary. The case is set for argument in October.

Nationwide, many Americans dependent on credit cards to make ends meet have fallen into what some experts, such as Elizabeth Warren, the Leo Gottlieb Professor of Law at Harvard Law School, have characterized as “predatory lending practices” by credit card companies.

“The credit card companies are profitable,” Warren said, in an interview with the PBS documentary program *Frontline*, in 2004, “because they’re no longer charging 9.9 percent, but 24.9 percent.”

Warren said credit card companies’ profits have been on the rise because of late charge penalties and rate increases.

“That’s who’s paying the real price of a deregulated credit industry and unleashing a monster that says 9.9 percent for most of you guys, but once you’re in a little trouble ... 29.9,” she said, on the PBS *Frontline* Web site.

Watching your wallet

Consumer’s Union, a nonprofit watchdog group, lists 10 top techniques credit card companies use to ramp up profits at the expense of the customer. These are:

- **Universal default** — A customer’s behavior with other companies is monitored, and rates are increased even if bills are paid on time.
- **Change of terms** — The rate can be changed with 15 days notice.
- **Teaser rates** — Low to start and can be increased anytime.
- **Minimum payment** — Can keep a customer in debt for a long time since little to none applies to the principal amount.
- **On time payment** — Short turnaround time for the bill and late fees are charged even if payment is mailed before the due date.
- **Double cycle billing** — Allows a customer to avoid finance charges only if you have paid the last two balances in full.
- **Cash advances** — Are always billed at a higher interest rate than purchases.
- **Penalty interest rates and fees** — These can raise the rate from 7 to 30 percent and incur late fees of \$39.
- **More fees** — For paying by phone and for year-end summary statements that used to be free.
- **Balance transfer switcheroo** — Different interest payments on transfers and purchases lowers your credit score, which can raise interest rates.



Enterprise photos by Angela Schneider



Derby day

Above: Children and parents line up on the banks of the Sacajawea Park Lagoon during the Kids Trout Derby, Saturday. About 115 children registered for the Derby, put on by Livingston Fire and Rescue.

Awards were given for largest and smallest fish caught. Rodie Keyes won the \$500 grand prize, with the event’s largest lunger at 1 pound, 3 ounces, while Isaac Andrews won the award for the smallest fish at .25 ounce.

Left: Ed Raihl helps his daughter Bailee reel in her line during the Derby.

Nine Americans killed in attack in Afghanistan

KABUL, Afghanistan (AP) — U.S. troops on Monday reinforced a remote military outpost after well-armed militants got inside and killed nine American soldiers in the deadliest assault on U.S. forces in Afghanistan in three years.

Sunday’s assault has deepened doubts about the U.S.

military’s ability to contain Islamic militants. Attacks in Afghanistan are becoming more complex, intense and better coordinated than a year ago, U.S. officials say.

Militants with machine guns, rocket-propelled grenades and mortars attacked the remote base in the village of Wanat in the mountainous

northeastern province of Kunar at about 4:30 a.m. Sunday, with insurgents firing from homes and a mosque.

It was a “concerted attempt” to overrun the small base near the Pakistan border that was built only about three days ago, said an official with NATO’s International Security Assistance Force.

The official, who spoke on condition of anonymity because he wasn’t authorized to release the information, estimated the attacking force was several hundred.

An unknown number of militants got inside the outpost, said a second military official.

New system will transform emergency communications



Enterprise photo by Dwight Harriman

A photo taken from above Livingston looking southward shows Meyers Flat, located atop this hill. A new communications system will be built there, just to the left of the center of the hilltop. The McDonald’s restaurant sign can be seen at lower right.

By Dwight Harriman
Enterprise Staff Writer

A Park County Sheriff’s deputy is on patrol in the Shields Valley, in a particular location that had been a communications “dead spot.” But now, a radio call from Dispatch comes through loud and clear. The deputy is alerted that an escaped prisoner from Gallatin County is in the area holding someone hostage.

Dispatch studies a digital map of the fugitive’s location automatically created by an earlier 911 call at the scene, and sends it to the deputy’s mobile data terminal, or MDT, along with a photo of the suspect. The deputy also receives a recording of the 911 call and a text file containing other information critical to the situation. He gets additional information by radio directly from a Gallatin County deputy, and then moves in.

The technological part of this scenario is impossible right now.

But a new \$919,000 microwave-powered, broadband communications system funded by Homeland Security will make much of it a reality probably by this fall — and the rest of it entirely possible with the right equipment.

The need for a new system

The new communications system is part of a linked, statewide network called the Montana Interoperability Project. Fifty-five Interoperability sites across Montana have already been built, with about another 50 planned.

Counties and tribes working on getting the systems are grouped into cooperative consortiums. Park County’s con-

sortium includes Sweet Grass, Gallatin, Madison and Meagher counties.

Present communications for Park County’s law enforcement and emergency services are limited by old technology — analog radios — and by geography that blocks many of those signals.

“Probably nine-tenths of the radios we have now are 10 to 15 years old,” said Peggy Glass, project manager for the local five-county consortium. Glass is also communications director for the Livingston/Park County 911.

Glass said that “on a good day,” radio signals emanating from law enforcement’s communications system on Livingston’s north side hill can reach Emigrant, and “sometimes it’s hit and miss in the Wilsall area.”

And forget direct radio contact with Cooke City. Dispatch has to use a cell phone, which might or might not work, or go through Yellowstone National Park’s radio system.

There are other problems: Only one person at a time can speak on radios, and there’s not much in the way of power backup.

“If the power is cut, we have a limited backup battery of about two hours,” said Glass of the north side equipment.

How it will work

The Interoperability Montana Project for Park County will change all that.

The county’s site will be built on Meyers Flat, located atop the heavily forested hill immediately south/southeast of Livingston on the east side of U.S. Highway 89.

Look there right now and you’ll see a 100-foot Verizon cell phone tower. Near it is a smaller tower, which serves as a repeater station for National Public Radio and some television stations.

The Interoperability system will go in just to the left — as seen from Livingston — of the two towers. Its centerpiece will be a 150-foot-tower built to withstand 150-mph winds, according to Bill Hurley, Park County’s director of operations, who is overseeing the county’s bidding process for installing the system.

Next to the Interoperability tower will be a 25-foot by 15-foot, air-conditioned/heated building to house communications gear and a backup generator, Hurley said.

When construction is complete, law enforcement’s north side hill equipment will be moved into the new building, where its function will be unfettered by geography.

The propane-powered generator on Meyers Flat will kick on automatically if the electricity fails.

The Interoperability system will provide a far broader range for paging officers or emergency personnel. It will not only handle multiple radio signals — “umpteens” channels, Hurley said — but also enable electronic transmission of data, including images and text, all at the same time, and all at high speed.

It will be possible, for example, to send digital maps showing firefighters

See **Communications**, Page 5

Communications, from Page 1

or EMTs the best route to a wildfire or crash.

The new tower on Meyers Flat will hit repeater stations on the Bozeman Pass — establishing direct contact with Gallatin County — and at Greycliff. After the Meyers Flat facility is built, Glass wants to get another tower, or “spur,” installed above Yankee Jim Canyon, to remedy a notoriously dead spot

The spur at Yankee Jim Canyon will probably be covered by Homeland Security funds, according to Glass. Getting that in place will take a bit longer — within three years, she said.

There will be some minor local costs.

The Meyers Flat site will itself need another component to communicate with Dispatch. The state will pay a

“It’ll open up a new era in communications capability for us.”

— Park County Sheriff Allan Lutes

there. That would allow instant communications with Cooke City and Yellowstone National Park, and even between Wilsall and Cooke City.

The county’s Interoperability system will also allow Dispatch to communicate electronically with other such sites in Montana.

Contracts for building the Meyers Flat site must be secured by the end of July in order not to lose Homeland Security money, Glass said.

She expects construction to start soon.

“I’m hoping no later than the middle of August,” she said, “because I have a very short building season (at Meyers Flat).”

Funding and timelines

Virtually all of the cost of the system will be borne by federal and state money.

Homeland Security will fund the \$919,000 Meyers Flat system, with nary a penny from local taxpayers’ pockets.

“That money is already in place,” Hurley said.

Glass wants the initial phase of the local Interoperability system — providing the huge radio and paging range — up and running by the end of October.

Dispatch will need \$150,000 worth of equipment to fully use the Interoperability system — for example, the mapping system that displays the location of a 911 call or the quickest route to an emergency, and gear that allows transmission of digital images to MDTs — but that will come from 911 state funds, Glass said. That should be in place within a year.

third of the \$40,000 cost, Glass said, while the city and county must split the other two-thirds. That component should be installed by this fall.

In addition, Glass plans on purchasing 23 mobile radios and 23 handheld radios. The over-\$100,000 cost will be born largely by already secured grants, but the city and county will have to pay a portion of it — about \$13,000 total. Those radios should be in place by this fall as well.

Also, hardly any law enforcement vehicles have MDTs right now. Money for additional units would have to be found from grants, or from the city and county, Glass said. Those units will be purchased as money becomes available.

‘Amen!’

Local law enforcement and emergency personnel are delighted with the prospects of getting a state-of-the-art communications system.

“It’ll open up a new era in communications capability for us,” said Park County Sheriff Allan Lutes. “We’re excited about it.”

Belinda Van Nurden, Park County Disaster and Emergency Services coordinator, said the new system will be a big boon.

“There are so many dead spots in the county ... (it) is going to keep us connected,” she said.

“It’s going to mean a lot as far as people getting support,” she added.

Will the new system revolutionize Glass’ job?

“Oh, amen!” she said. “It’s so exciting.”

Obama has second thoughts on television interview with kids in Butte

NEW YORK (AP) — It’s the interview scoop that quickly gave Barack Obama second thoughts, and not because it revealed he leaves his suitcase where his children can trip over it.

The “Access Hollywood” interview in which Obama and wife Michelle allowed daughters Malia, 10, and Sasha, 7, to participate opened a curtain on a potential president’s family and raised questions about whether the girls should be “hands off” for the media.

Although their parents did most of the talking and the girls mostly looked like they’d rather be going out for ice cream, Obama later said he and his wife got carried away in agreeing to it.

“I don’t think it’s healthy and it’s something that we’ll be avoiding in the future,” Obama said Wednesday on “Good Morning America.”

Rob Silverstein wishes Obama hadn’t said that. The “Access Hollywood” executive producer believes Obama has nothing to regret.

The interview, spread out in four parts on the show last week, was conducted by correspondent Maria Menounos when the Obamas were in Butte, Mont., on July 4. Sensing their viewers’ interest in the campaign, syndicated entertainment newsmagazines have done many light personality segments on the candidates, giving them a non-challenging opportunity to show off their human side.

“Access Hollywood” had been pursuing the Obamas for months, and a producer was alerted that the couple would make time for them while in Montana.

The show intended to simply interview Barack and Michelle Obama. But Menounos ingratiated herself with the kids — bonding over girl-ish enthusiasm for the Jonas Brothers — and they sat next to their parents for the interview. Producers quickly clipped microphones on their blouses.

“There was a very loose atmosphere,” Silverstein said. “It was one of those things where it was like lightning in a bottle. We got lucky.”

Generally, it’s not a good idea to make children that age available for interviews, said Charles Figley, chairman of the psycho-social stress research program at Tulane University. It can give children big heads and make them feel they have to perform, he said. A parent in this situation should also keep public images of their children to a minimum to avoid any abuse over the Internet.

That said, the “Access Hollywood” situation was the most ideal setting the Obamas could expect: it was an easygoing interview in a relaxed setting, with the children protected within the bonds of the family, Figley said.

Barack Obama’s later regrets seemed to have less to do with the interview itself than the way clips of it were played over and over on cable stations.

At least according to what aired on “Access Hollywood,” Menounos directed most of her questions to the parents. It wasn’t until the third segment that she even asked the children a question: “What have you guys thought about the possibility of living in the White House someday?”

“It’d be very cool,” Sasha



AP photo

This photo released by “Access Hollywood” shows Democratic presidential nominee Barack Obama, right, with “Access Hollywood” correspondent Maria Menounos, center, wife Michelle, left, and daughters Malia, far left, and Sasha.

said. The older Malia said she was enthusiastic about the idea of redecorating a room.

Menounos also asked what they could do that would make their parents mad at them (“whining,” Sasha replied) and whether they found it cool that magazines were looking toward their mother for fashion sense.

“The 10-year-old, Malia, is like something you’ve never seen before,” Silverstein said. “She is a spitfire. She is way beyond her years. How fascinating it is to listen to these children talk. You can’t imagine a 10-year-old so poised and smart and well-behaved.”

Linda Ellerbee, who makes the “Nick News” specials for Nickelodeon, hasn’t requested interview time for the Obama children, although she imagines Nick’s audience would be keenly interested in them.

When interviewing children for her shows, Ellerbee always assures them that she would never let them make fools of themselves. If the

child says something they later regret, or flubs an answer, Ellerbee will always allow a retake — a courtesy that news organizations generally don’t offer adults.

If offered a chance to speak to Malia, Ellerbee said she’d like to film the girl going about her typical day and essentially ask: What is it like to be you?

“That’s a fantastically interesting question,” she said. “Whether we get to find that out about her, it won’t break my heart not to know. I don’t think the public has a right to know.”

President Bush and his predecessor, President Clinton, tried to establish cones of privacy around their daughters when dad moved into the White House. Some questioned whether that effort was too zealous when Chelsea, now a 28-year-old professional woman, refused media interviews while campaigning for her mother this year.

He would lean in the same direction if in the same shoes, said Joe Kelly, co-founder and president of

Dads and Daughters, an organization that promotes the father-daughter relationship.

Kelly suspects the Obamas are reacting much like any parents would in the situation.

“You learn as you go along,” he said. “You learn as the kids grow and you learn about them as people and what’s good for them and what’s not good for them.”

The pugnacious Silverstein suspects disdain for “Access Hollywood” is playing out in questions about whether it was a bad thing to put Malia and Sasha Obama on camera.

“I don’t buy that,” he said. “The kids are well-adjusted, terrific kids with a well-adjusted family. I hardly think that a 25-minute interview with ‘Access Hollywood’ is going to affect them. Anyone who says that in the media, it’s just sour grapes. They’re just mad that they didn’t get it.”

On the Net:
www.accesshollywood.com

STATE SHORTS

Cycling from park to park

BILLINGS (AP) — Organizers of a Montana bicycle trip from Glacier National Park to Yellowstone National Park say they expect upward of 40 participants.

Registration for the event billed as the Park-2-Park ride remains open.

Cyclists will travel 400 miles. Each participant is expected to obtain pledges of money for the Court Appointed Special Advocates program, which uses volunteers as advocates for abused or neglected children.

The Park-2-Park trip is scheduled for the first five days in September and will begin at St. Mary.

Registration fees are \$450 or \$500, depending on the time of registration.

‘Howling survey’

Washington state wildlife biologists believe a gray wolf pack may be living in western Okanogan County.

On July 7, biologists made wolf-like howls in several areas, then heard adult and juvenile howls in response.

The Department of Fish and Wildlife says that if a wolf pack is confirmed, it would be Washington’s first known resident wolf pack since the 1930s. Individual wolves have been reported in Washington, but resident wolf breeding pairs or packs have not. State and federal biologists are now working on plans to collect wolf DNA samples and put radio collars on some of the animals.

In the western two-thirds of Washington, the gray wolf is



Alison's Pet Stop

Pet Boarding
Cats.....\$8/day
Dogs...\$12/day
Horses...\$4/day
•Heated buildings
•One on one attention
686-4910



- Tongue & Groove wall, decking & flooring - many patterns to choose from -
- Custom built cabins, very unique designs
- Serving you since 1976 -

21 Business Park Road
222-2928



STU'S CHEMICAL

220-3882 or 686-4117

- Custom Weed Spraying
- Mosquito Control
- Sagebrush Chopping and Mowing
- Small & Large Acreage Spraying
- Fertilization for acreage
- Sale of Chemical

Call today for a free estimate.

PARISIWESTERNPlumbing&Heating, Inc.

Proud to be locally owned and operated

- Full Retail Store • New Construction
- Remodel • Pumps • Water Heaters
- Gas piping • Boilers

For all your Plumbing Needs!

425 S. 2nd St. • 222-2073



★ *for* **VETERANS** *their* **FRIENDS & FAMILY** ★

How to Navigate the Effects of Deployment

Three FREE Workshops on handling PTSD/COSI, Trauma, Fatigue, Grief


Fri. July 18	For family members/friends	12-4pm
	<i>(Choose either the day or evening workshop)</i>	5:30-9pm
Sat. July 19	For Veterans	10am-4:30pm
	For Veterans & their spouses/significant others	5:30-8:30pm

Registration Recommended ★ Livingston Library ★ Includes Lunch/Dinner

In these hands-on workshops, we'll explore how deployment and the stress of military life impacts our lives: our attitudes and insights, emotional reactivity, personal identity, spirituality, and worldview. Veterans and loved ones will gain practical coping skills and techniques to better relate to self and others.

Open to Veterans of all wars.

About the Facilitator: *Sister Kateri Koverman is a licensed psychiatric social worker, chemical dependency counselor, and spiritual director. After three and a half years in the Vietnam war, she worked in tear zones in El Salvador and Ethiopia; and with refugees in Armenia, Sierra Leone, Thailand, and Zambia. For the past 15 years, Sr. Koverman has worked as a psychotherapist with combat veterans. She is a nationally recognized speaker and has consulted with every branch of the U.S. armed forces. See www.thebonesveteran.org.*



For more information or to register, contact 224-2869 or info@nami-livingston.org